



City of McMinnville
Planning Department
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EXHIBIT 4 - STAFF REPORT

DATE: August 16, 2018
TO: Planning Commissioners
FROM: Jamie Fleckenstein, Associate Planner
SUBJECT: CU 1-18 – R4421BA04800

Report in Brief:

This is a public hearing to consider an application for a conditional use permit to allow for location of Little Roots Preschool in the NE Gateway District. The applicant has agreed to lease a portion of the property behind Buchanan Cellars, and intends to place a small, customized modular building to operate as the preschool classroom. The grounds around the classroom building would be improved and maintained to function as open play space. The property is located at NE 7th Avenue between NE Alpine Avenue and NE Lafayette Avenue, and is more specifically described as Tax Lot 4800, Section 21BA, T. 4 S., R. 4 W., W.M.

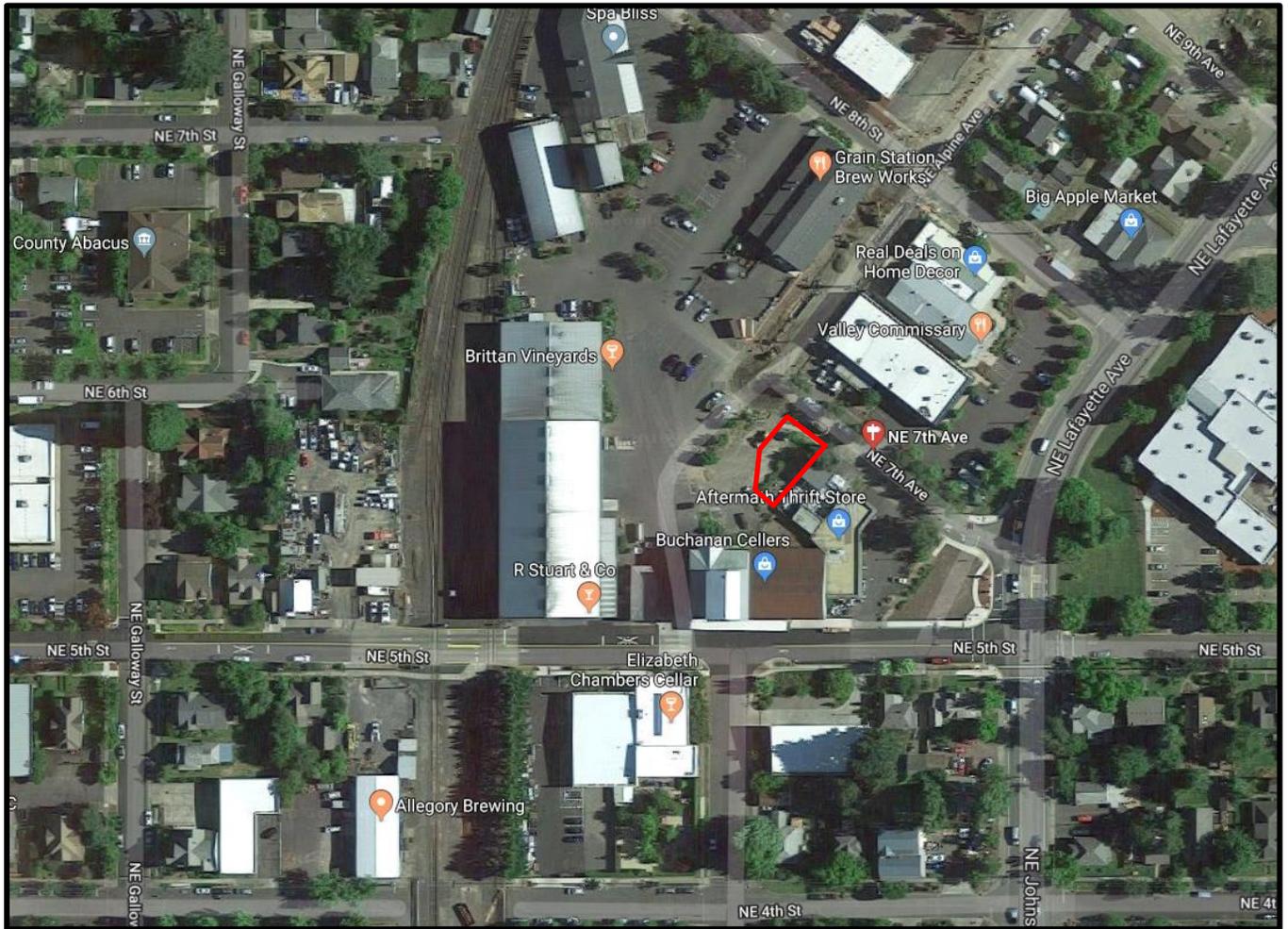
Background:

The subject site is an existing undeveloped commercial property in the Northeast Gateway District Planned Development Overlay. An old concrete building pad exists on the site, and the site is currently fenced off. The site is located on NE 7th Avenue between NE Alpine Avenue and NE Lafayette Avenue and is zoned C-3PD (General Commercial, Planned Development Ordinance 4971) and is designated on the comprehensive plan map as Commercial.

The property immediately adjacent to the subject site to the west is also zoned C-3PD (General Commercial, Planned Development). The property to the south, the site of Buchanan Cellars, is zoned M-2 (General Industrial). Immediately to the east of the subject site is a property that is zoned M-1 (Light Industrial) that serves as outdoor storage for the C-3PD (General Commercial, Planned Development) zoned property further east that is the site of the Aftermath Thrift Shop. To the north is a C-3PD zoned property that is the site of the Grain Station Brew Works. Across NE 7th Avenue to the northeast of the subject site is a C-3PD zoned property that is the site of a wine production facility, restaurant, and a home furnishings store.

A visual of the subject site and reference maps showing the zoning designations of the subject site and the surrounding properties are provided below:

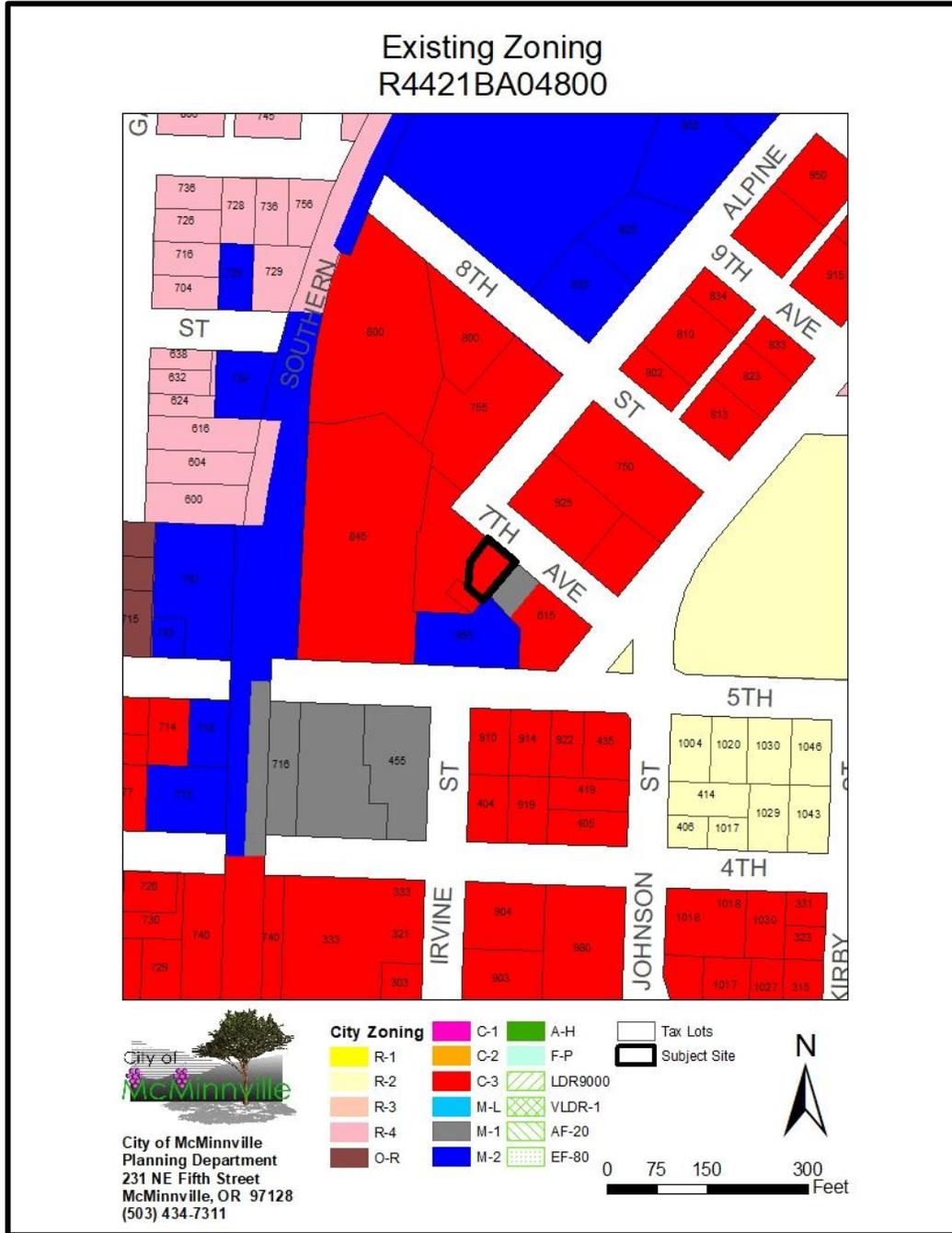
Site Reference Map



An enlarged aerial photograph of the site can be seen below:



Existing Zoning



Discussion:

Little Roots Preschool, owned and operated by the applicant, would like to place a small, customized modular building on the vacant property behind Buchanan Cellars, to operate as a preschool classroom. The grounds around the classroom building would be improved and maintained to function as open play space. The subject site where the school would be located is zoned C-3PD and is in Zone 2 of the Northeast Gateway District Planned Development. Per Section 6 Table 1 of the McMinnville Ordinance 4971, a school (private or public) in Zone 2 of the NE Gateway District is a conditional land use and needs a conditional use permit to operate.

The Planning Commission's responsibility regarding this type of land use request is to conduct a public hearing and, at its conclusion, render a decision to approve, approve with conditions, or deny the conditional use request. The Planning Commission should rely upon the criteria of Section 17.74.030, "Authorization to Grant or Deny Conditional Use" of the McMinnville Zoning Ordinance to review the proposal and render a decision.

Evaluation of Review Criteria:

The potential impacts of a proposed conditional use on the abutting properties and surrounding neighborhood should be minimized through the design, location, and operating characteristics of the proposed development. In order to ensure that the proposed use and development is appropriate and has minimal impacts on the surrounding neighborhood, the Planning Commission must find that the following criteria are being met:

Section 17.74.030:

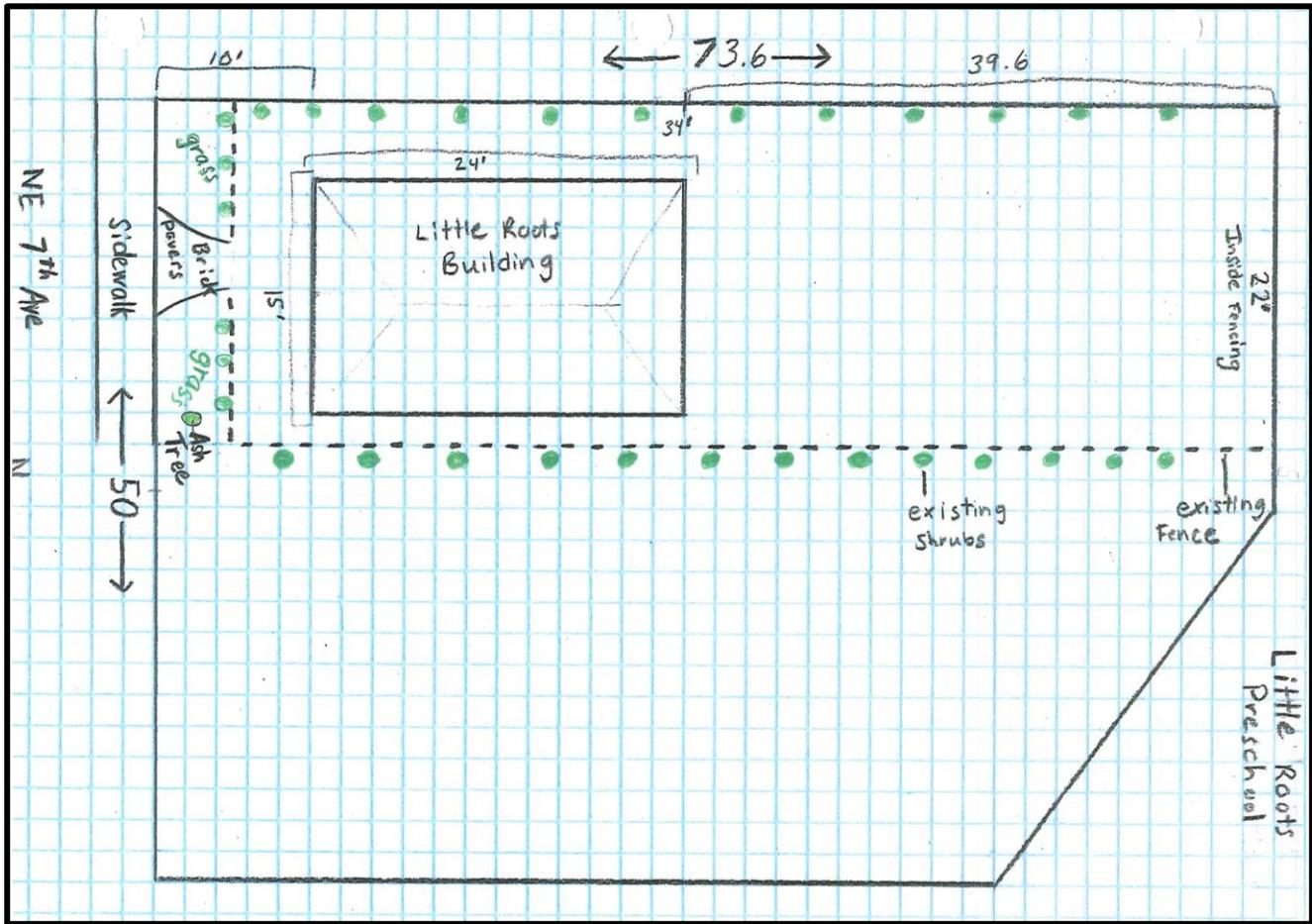
- A. The proposal will be consistent with the Comprehensive Plan and the objectives of the zoning ordinance and other applicable policies of the City;

Comprehensive Plan Policies: A number of Comprehensive Plan goals and policies relate to the proposed development. In particular, Comprehensive Plan Chapter III (Cultural, Historical, and Educational Resources) includes goals and policies applicable to this request. One of the more applicable goals, which is also identified and explained in greater detail in the Findings of Fact in the attached Decision Document, states that the City should provide cultural and social services and facilities commensurate with the needs of the City's expanding population. A policy to support this goal is that the City shall allow future community center type facilities, both public and private, to locate in appropriate areas based on impacts on the surrounding land uses and community. The applicant has stated that the Little Roots Preschool is expected to have full enrollment for its classes upon opening and that there is greater demand for preschool facilities and education in McMinnville. Opening a new preschool will help meet this need, therefore providing educational resources and facilities that are in need to McMinnville's expanding population.

Zoning District Requirements: The property in question is zoned C-3PD (General Commercial, Planned Development). The site is within the Northeast Gateway Planned Development, Zone 2. The proposed use as a private school is allowed as a conditional use in the NE Gateway District Zone 2.

The applicant is proposing to place a 15 foot by 24 foot (360 square feet) building on the property. Ordinance 4971 Section 7-Development Standards states there shall be no minimum setback requirements for non-residential uses, and the maximum front yard setback is 10 feet. Since the building is located 10 feet from the front property line, the proposed structure meets all required setbacks for the NE Gateway District Zone 2.

The proposed site plan is provided below:



Pedestrian Oriented Development: The NE Gateway District Planned Development requires active frontages to promote a pedestrian oriented street environment, specifically that areas reserved for vehicular maneuvering and off street parking are located behind the building, uses that are strictly commercial must have outdoor uses or meet a 60% glazing requirement to allow views into the building from the sidewalk, and that all buildings are oriented to the public street with at least one primary entrance facing the street. The site plan indicates that no vehicular maneuvering is taking place in the front of the building, and no off-street parking is required for non-residential uses less than 3,000 square feet. The applicant notes that if off-street parking is desired, there is sufficient space on the sites meeting this standard. Per Section 6 Table 1-Permitted and Conditionally Permitted Uses, the proposed use as a private school is Civic, and therefore the requirements for strictly commercial uses do not apply. However, an active outdoor play space for the students is proposed for the space in front of the building. The proposed building is oriented to the street, and the primary entrance is facing NE 7th Street. The proposed meets the Pedestrian Oriented Development standard.

Primary Entrances: Primary entrances for all development must be clearly visible from the street and must incorporate one of the following design elements: A porch or portico projecting a minimum of 2 feet from the building if the building is not built to the property line, a recessed entry, or an architectural element such a cornice or gable. The proposed classroom building features a gabled roof that extends approximately 5 feet beyond the front of the building to create a covered front porch, thereby meeting this criterion. The front entry of building is also connected to the street by a paver walkway, meeting another requirement of the NE Gateway District for primary entrances.

Design and Building Material Standards for All Development: The NE Gateway District requires specific design and building materials for all developments. The proposed structure is sided with HardieBoard

fibrous cement in a board and batten pattern, meeting the façade material requirement. The proposed structure has a pitched metal roof and eaves. No specific detailing of the roof was included in the application. Staff recommends a condition of approval that the metal used for the roof be formed to resemble standing seams or similar materials.

Design and Building Material Standards for Non-Residential Development: Ordinance 4971 states five design and building material standards for all non-residential development. The proposed building features regularly spaced windows on each façade visible from the street. The use is considered civic, not solely commercial, so the 60% glazing standard does not apply. The windows are trimmed and each window has window box planter as an architectural feature. Since the proposal is for a one story building of just 360 square feet, the requirements for separating stories by appropriate architectural features and articulating facades on buildings of more than 25,000 square feet do not apply. The proposal meets all applicable requirements of this section.

Parking and Off-Street Loading Requirements: Ordinance 4971 Section 8(A) states that no off street parking shall be required for non-residential uses having 3,000 square feet or less of floor area. Since the proposed preschool is seeking a conditional use permit as a civic function of less than 3,000 square feet, off-street parking is not required. However, the applicant notes that if off-street parking is desired, there is sufficient space on the site to provide off-street parking suitable for this use.

Signage: The applicant has not provided details of any proposed signage for Little Roots Preschool. Staff recommends a condition of approval that signage shall meet the standards for signage in Zone 2 of the NE Gateway District and comply with applicable standards of the McMinnville Zoning Ordinance, except that each site is allowed one permanent monument sign not to exceed 48 square feet in area and six feet in height, and for every lineal foot of building frontage, 1.5 square feet of signage may be allowed up to 200 square feet. Wall signage shall be constructed of a material complimentary to that of the building façade and be placed in a traditional location to fit within architectural features.

Landscaping: The NE Gateway District Planned Development requires that landscaping be provided between the public right-of-way and the front building line. Currently, there is unmaintained plantings (shrubs and trees) on the perimeter of the existing fence on the property. The applicant is proposing to keep the existing mature plant material, and enhance it by pruning and maintaining it at a height of no more than three feet so that it is not sight-obscuring. The applicant is also proposing to install lawn between the fence/existing planting and the sidewalk to enhance the urban farmhouse feel of the overall development. Interior to the fence, the applicant is proposing potted plants that can be moved depending upon the use of the children's play space, as well as ornamental planting in the window boxes. Building accent light fixtures are being proposed and were selected and located to prevent skyward glare. The NE Gateway District Planned Development also requires compliance to McMinnville Zoning Ordinance Section 17.57-Landscaping. Section 17.57 requires landscaping in a C-3 zones, and a landscape plan for review by the Landscape Review Committee, to be submitted at the time of building permit application.

Section 17.74.030:

- B. That the location, size, design, and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets; and to any other relative impact of the development;

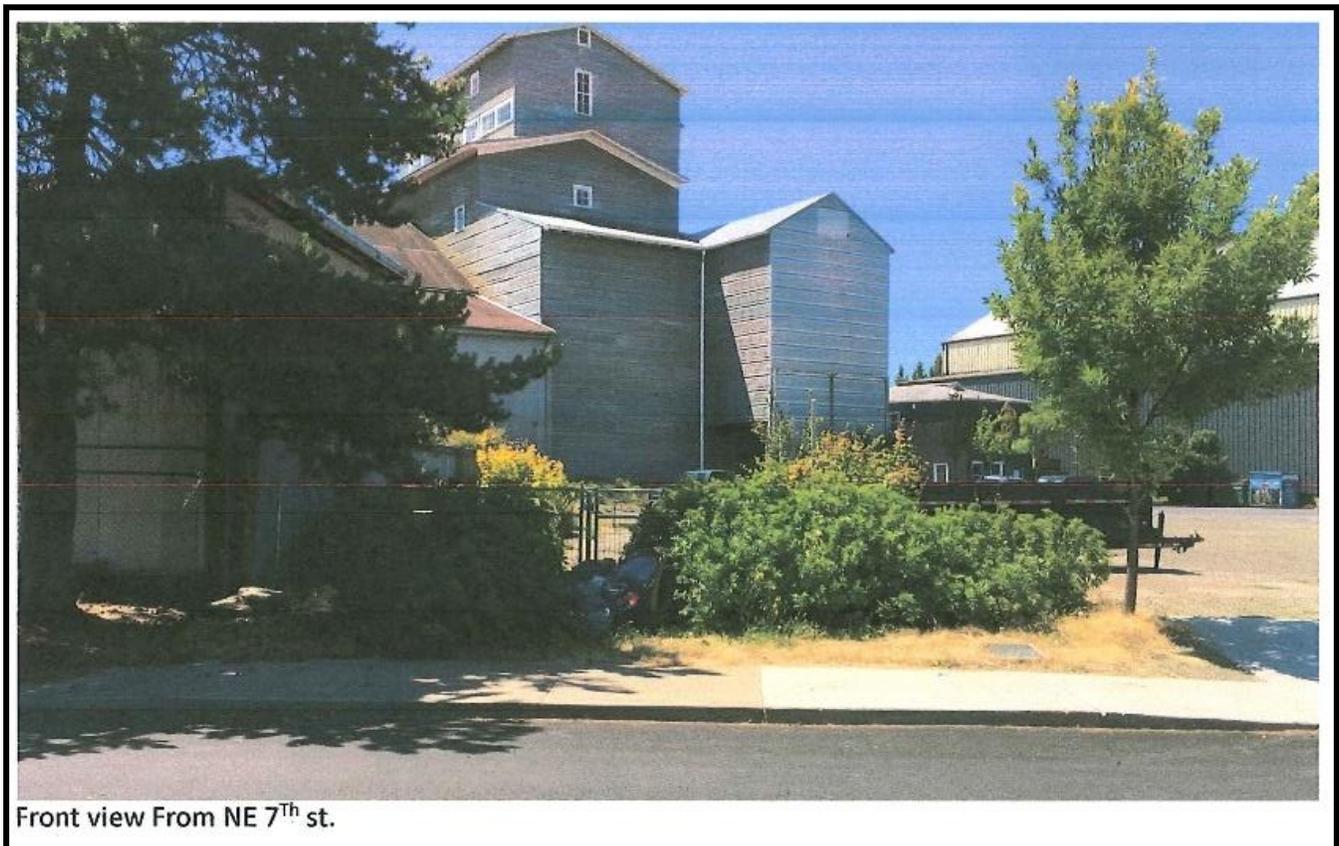
Harmony in Scale, Bulk, Coverage, and Density: The subject site is located within the NE Gateway District Planned Development which is designed to guide the transition of a light and heavy industrial area into a vital, mixed use, pedestrian friendly neighborhood. While there are larger developments and structures immediately adjacent to the subject site, the proposed use and structure are of a scale compatible with

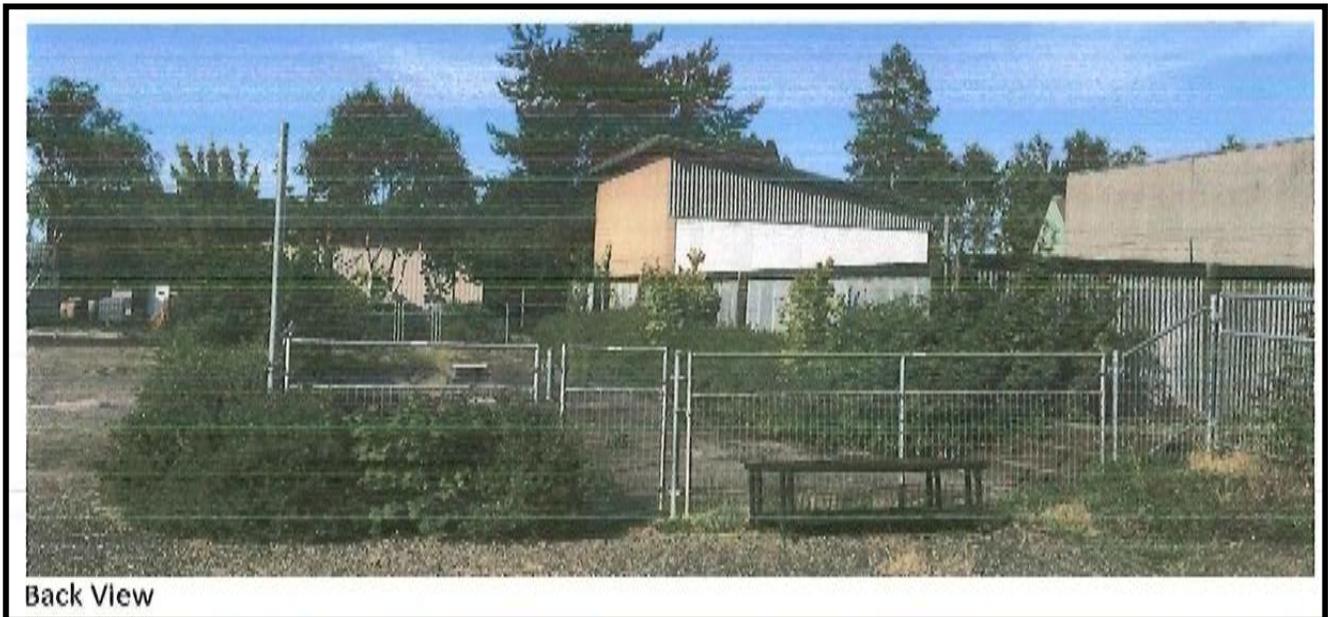
the overall goal of the NE Gateway District. The proposal converts a small, undeveloped lot into a pedestrian-oriented, active space that provides a use not found elsewhere in the area. The scale of the proposed development will help transition the larger scale of the surrounding properties to the pedestrian scale that is a goal of the NE Gateway District.

Operating Characteristics: The operating characteristics of the proposed use will be consistent with a typical preschool. Classes will be limited to eight (8) students aged three (3) to five (5). On Mondays, Wednesdays, and Fridays classes will be held from 8:15-11:15AM and again from 12:00-3:00PM. Tuesdays and Thursdays have only a morning session from 8:15-11:15AM. Parents will pick up and drop off their children at the school. The applicant has noted that she expects traffic impacts to be minimal, especially in comparison to a daycare facility for all day care of up to 12 children, which is a permitted use in this zone. The applicant also anticipates the NE Gateway District growing with residential uses and envisions having families living in the area and walking to drop off children at their neighborhood preschool. Therefore, the operations of the proposed preschool will not negatively impact the surrounding neighborhood.

Other relevant impact: A neighboring property owner commented to the Planning Department that the planting around the subject site is often a place where a transient population establishes camps and areas to sleep. The property owner was pleased to hear that the subject site would be developed, activated, and maintained, thereby creating a safer and more pleasant pedestrian experience along NE 7th Avenue. The maintenance and upkeep of the street frontage, in addition to the proposed residential scale building designed to all the district standards, will be a positive change and enhance the overall quality of the built environment in this neighborhood.

Photos of the existing conditions on the subject site are provided below:





Based on the descriptions above, staff believes that the development of a preschool will be compatible with the surrounding neighborhood and will not impact the livability or appropriate development of abutting properties.

Availability of Public Facilities and Utilities: Adequate existing public facilities serve the existing site, including water, sewer, and streets. The Engineering Department has reviewed the application and has provided no comment on the ability for public facilities to serve the proposed use.

Traffic, Circulation, and Parking: As described above, no off-street parking is required for the proposed development, and no additional vehicular circulation routes are being proposed on the site. Scheduled and coordinated pick-up and drop-off times will ensure that traffic and circulation around the site is not overly impactful on the surrounding street network. The site has capacity for additional off-street parking if necessary, but the subject site is immediately adjacent to the off-street parking lot serving the Granary

District. The Engineering Department reviewed the plans, and does not have any concerns with traffic from the proposed use.

Section 17.74.030:

- C. That the development will cause no significant adverse impact on the livability, value, or appropriate development of abutting properties of the surrounding area when compared to the impact of permitted development that is not classified as conditional;

The type of development proposed is consistent with the development goals of the NE Gateway District, to provide a transition of light and heavy industrial use to a vital, mixed use, pedestrian-friendly neighborhood. The applicant notes that the proposed conditional preschool use closely resembles a daycare use, which is permitted outright in the NE Gateway District Zone 2, the main difference being an additional drop-off and pick-up time 3 days per week and fewer students enrolled. The applicant also notes the size and scale of the proposed use's impact on the neighborhood would be negligible based on other permitted uses in this zone including theaters and lodging. The proposed classroom building will meet all applicable standard for design and materials for the district, assuring it is developed in a consistent manner with other new developments in the area.

Section 17.74.030:

- D. The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrants;

The site and the proposed building will be designed in such a way as to be consistent with the design standards for new development in the NE Gateway District. The building will be oriented to the street, with a covered porch and primary entry facing the street frontage. The 10 foot setback from the right-of-way will allow an active children's play space in the front of the school, promoting a pedestrian oriented street environment. The materials for the building facades and roofing are approved materials for the district, and the window placement and treatments are also consistent with the required design standards. The overall theme for the design of the school building is "urban farmhouse" which is appropriate for its urban setting adjacent to a farm and pet supply store, wine production facilities, and a similarly themed Grain Station Brew Works.

The existing site contains some landscape material that will be preserved and maintained, to provide mature landscaping appropriate for the site and use. Two (2) existing trees will continue to provide shade and screening for the site. Additional lawn will be installed along the street frontage, further enhancing the urban farmhouse feel.

The McMinnville Zoning Ordinance requires that a landscape plan be submitted for review by the Landscape Review Committee at the time building permits are submitted. The existing landscaping on the site can be identified on the landscape plan, and retained if healthy. The proposed open play space in and lawn would all count towards overall landscaped space.

Section 17.74.030:

- E. The proposal will preserve environmental assets of particular interest to the community;

The subject site does not contain any significant environmental assets that would be of any particular interest to the community. The site was previously developed (only a concrete building pad remains), is flat, and does not contain any significant natural features. The applicant is proposing to preserve and maintain the existing planting on the site. There are a mix of shrubs (*Choisya ternata*/Mexican Mock Orange and *Arctostaphylos spp.*/Manzanita) and two trees (*Acer circinatum*/Vine Maple and *Fraxinus app.*/Ash) on site that will be retained to continue to provide shade and screening of the site. Therefore, the proposed conditional use satisfies this review criteria.

Section 17.74.030:

- F. The applicant has a bona fide intent and capability to develop and use the land as proposed and has no inappropriate purpose for submitting the proposal, such as to artificially alter property values for speculative purposes.

The applicant intends to develop the site and building as proposed, and has the intent and capability to develop and use the land as proposed. The applicant has the cooperation of the property owner and a lease agreement in place. Also, the applicant is a lifetime resident of the City of McMinnville and is intent on being a part of the development of the NE Gateway District and the revitalization it will bring to this area. She notes that Little Roots Preschool's registration list is growing continually, and that the demand for this type of educational facility in the City of McMinnville is evident. The applicant believes the establishment of Little Roots Preschool will allow her to meet this community need.

Fiscal Impact:

None.

Commission Options:

- 1) Close the public hearing and **APPROVE** the application, per the decision document provided which includes the findings of fact.
- 2) **CONTINUE** the public hearing to a specific date and time.
- 3) Close the public hearing, but **KEEP THE RECORD OPEN** for the receipt of additional written testimony until a specific date and time.
- 4) Close the public hearing and **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

The Planning Department recommends approval of CU 1-18, subject to the following conditions:

1. That the applicant shall include, in the building permit construction plan set, detailing of the metal roof material showing that it is formed to resemble standing seams or other similar materials.
2. That signage shall meet the standards for signage in Zone 2 of the NE Gateway District and comply with applicable standards of the McMinnville Zoning Ordinance, except that each site is allowed one permanent monument sign not to exceed 48 square feet in area and six feet in height, and for every lineal foot of building frontage, 1.5 square feet of signage may be allowed up to 200 square feet. Wall signage shall be constructed of a material complimentary to that of the building façade and be placed in a traditional location to fit within architectural features.
3. That this conditional use permit approval shall be terminated if the proposed improvements do not commence within one year of the effective date of this approval, or if the use once commenced lapses for any single period of time that exceeds one year in duration.

The Planning Department recommends that the Commission make the following motion approving of CU 1-18:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION APPROVES CU 1-18 SUBJECT TO THE STAFF RECOMMENDED CONDITIONS OF APPROVAL

JF:sjs